

**MEMORANDUM OF UNDERSTANDING  
REGARDING CHILDREN'S ISSUES**

The parties, having been referred to the Court's Settlement Facilitation Program and having participated in Settlement Facilitation, have reached the following agreement:

1. **Legal Custody of the child/children.**

☐ The parties will have joint custody of the child/children; or,

☐ Father ☐ Mother will be the sole custodian of the child/children.

2. **Timesharing or visitation.** We will share time with the child/children as we agree between ourselves. If we cannot agree, we will share time with the child/children as follows:

3. Joint custody decisions regarding our child/children:

City and county of residence: \_\_\_\_\_

Religion: \_\_\_\_\_

Recreational Activities: \_\_\_\_\_

Name

Address and Telephone

Doctor: \_\_\_\_\_

Dentist: \_\_\_\_\_

School: \_\_\_\_\_

Child Care: \_\_\_\_\_

Other: \_\_\_\_\_

4. **Child Support**

A. Guideline Support \_\_\_\_\_

1. ☐ The child support guidelines are appropriate in this case; or,  
☐ The child support guidelines are unjust or inappropriate in the case  
because they result in substantial hardship. It is appropriate to deviate  
from the child support guidelines in this case.

B. ☐ Father ☐ Mother will pay \$\_\_\_\_\_ per month to the other parent as  
child support. A signed Worksheet is attached.

C. Child support payments are due on the \_\_\_\_\_ day of each month.

D. ☐ The children's uninsured health, dental and counseling expenses, including eye  
care and eye glasses, in excess of \$100 per child per year are to be shared by Mother  
and Father in proportion to their gross income as set forth on the child support  
worksheet; or,

[ ] Other \_\_\_\_\_

E. Our agreement includes the following provisions mandated by New Mexico Statutory Law: \_

1. **Income Withholding:**

[ ] Child support payments are to be made by immediate wage withholding. Either party may submit a wage withholding order to the Court; or,

[ ] If the obligor accrues a delinquency in an amount equal to at least one month's support obligation, the obligor's income shall be subject to withholding.

F. Child support will continue until the children are emancipated, except that child support will continue until the children's graduation from high school if they are emancipated only by age, are under nineteen, and are attending high school.

G. Child support arrears and unpaid child support installments shall accrue interest at 4% per annum.

H. At the written request of either party, the parties will exchange the following information on an annual basis.

1. Federal and state tax returns including all schedules for the year preceding the request;
2. W-2 statements for the year preceding the request;
3. Internal Revenue Services Form 1099s for the year preceding the request;
4. Work-related daycare statements for the year preceding the request;

5. Dependent medical insurance premiums for the year preceding the request; and
  6. Wage and payroll statements for the four months preceding the request.
5. This Memorandum of Understanding contains the entire agreement of the parties, and there are no other agreements.
  6. This Memorandum of Understanding will be enforced as a binding agreement and will be adopted as an Order of the Court.
  7. Any modification or waiver of any provision of this Memorandum of Understanding will be effective only if made in writing and signed by both parties.

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Settlement Facilitator

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Petitioner  
(address) \_\_\_\_\_  
(phone) \_\_\_\_\_

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Respondent  
(address) \_\_\_\_\_  
(phone) \_\_\_\_\_